

Introduced by Senator Correa

February 26, 2009

An act to amend Section 18691 of the Health and Safety Code, relating to mobilehomes.

LEGISLATIVE COUNSEL'S DIGEST

SB 398, as introduced, Correa. Mobilehome parks: fire code enforcement.

Existing law, notwithstanding specified provisions, authorizes a city, county, city and county, or special district that is not the enforcement agency under the Mobilehome Parks Act to enforce its fire prevention code in mobilehome parks. Before assuming fire code enforcement, a city, county, city and county, or special district is required to give the Department of Housing and Community Development a 30-day written notice.

This bill would instead require the city, county, city and county, or special district to give the department a 90-day written notice.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 18691 of the Health and Safety Code is
- 2 amended to read:
- 3 18691. (a) The department shall adopt rules and regulations
- 4 that it determines are reasonably consistent with generally
- 5 recognized fire protection standards, governing conditions relating
- 6 to the prevention of fire or for the protection of life and property
- 7 against fire in parks. The department shall adopt and submit

1 building standards for approval pursuant to Chapter 4 (commencing
2 with Section 18935) of Part 2.5 for the purposes described in this
3 section within permanent buildings. The department, in
4 consultation with local firefighting agencies, shall adopt and
5 implement no later than January 1, 2002, regulations that require
6 regular maintenance and periodic inspection and testing of fire
7 hydrants in mobilehome parks.

8 (b) The regulations adopted by the department shall be
9 applicable in all parks, except in a park within a city, county, or
10 city and county that is the enforcement agency and has adopted
11 and is enforcing a fire prevention code imposing restrictions equal
12 to or greater than the restrictions imposed by those building
13 standards published in the California Building Standards Code and
14 the other state regulations adopted by the department.

15 (c) Notwithstanding the provisions of this section, the rules and
16 regulations adopted by the department relating to the installation
17 of water supply and fire hydrant systems shall not apply within
18 parks constructed, or approved for construction, prior to January
19 1, 1966.

20 (d) Notwithstanding the provisions of this section, a city,
21 county, city and county, or special district that is not the
22 enforcement agency under this part may enforce its fire prevention
23 code in mobilehome parks relating to fire hydrant systems, water
24 supply, fire equipment access, posting of fire equipment access,
25 parking, lot identification, weed abatement, debris abatement,
26 combustible storage abatement, and burglar bars. Before assuming
27 fire code enforcement in accordance with this subdivision, a city,
28 county, city and county, or special district shall give the department
29 a ~~30-day~~ 90-day written notice. A city, county, city and county,
30 or special district that enforces its fire prevention code pursuant
31 to this subdivision shall apply its code provisions to conditions
32 that arise after adoption of its fire prevention code, to conditions
33 not legally in existence at the adoption of its fire prevention code,
34 or to conditions that, in the opinion of the fire chief, constitute a
35 distinct hazard to life or property.